

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Martin RUIZ Espitia

Case: 1:18-mj-30276

Judge: Morris, Patricia T.

Filed: 05-14-2018 At 03:11 PM

CMP USA v. Ruiz-Espitia (krc)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 26, 2018 in the county of Saginaw in the  
Eastern District of Michigan, the defendant(s) violated:*Code Section*

In violation of Title 8, United States Code

*Offense Description*

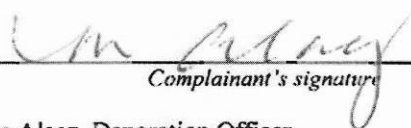
Section 1326(a) Unlawful Re-entry After Removal from the United States.

This criminal complaint is based on these facts:

On or about March 26, 2018, at or near Saginaw, Michigan, in the Eastern District of Michigan, Northern Division. Martin RUIZ-Espitia, an alien from Mexico was found in the United States after having been removed therefrom on or about May 7, 2003 at Hidalgo, Texas and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

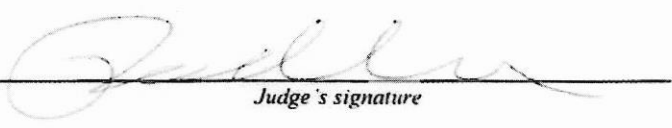
☐ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 5/14/2018City and state: Bay City, Michigan  
Complainant's signature

Monica Alaez, Deportation Officer

Printed name and title

  
Judge's signature

Patricia T. Morris, U.S. Magistrate Judge

Printed name and title

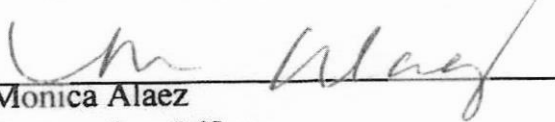
## AFFIDAVIT

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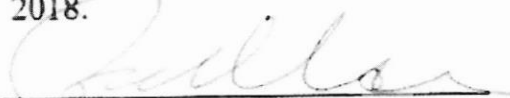
I, Monica Alaez, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security. I am assigned to the Criminal Alien Program located at 333 Mount Elliott, Detroit, MI 48207. I have served with ICE since March 2009. I have successfully completed the Immigration & Customs Enforcement Deportation Integrated training at the Federal Law Enforcement Training Center in Glynco, Georgia.
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.
3. Martin RUIZ- Espitia is a fifty-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date, without being admitted, inspected or paroled by an Immigration Officer.
4. On April 3, 2003, RUIZ- Espitia, was convicted in the 105<sup>th</sup> Judicial District Court [at] Kingsville, Kleberg County, Texas for the offense of Felony Unlawful Possession of Marijuana, and was sentenced to 53 days in Kleberg County Jail, and 6 years community supervision.
5. On April 9, 2003, ICE ERO(Enforcement and Removal Operations) served RUIZ- Espitia with a Notice to Appear (I-862) in Los Fresnos. On May 2, 2003, RUIZ- Espitia was ordered deported from the United States to Mexico by an Immigration Judge in Los Fresnos, Texas. On May 7, 2003, RUIZ- Espitia was removed to Mexico via Hidalgo, Texas.
6. On an unknown date and at an unknown place, RUIZ- Espitia re-entered the United States without presenting himself for inspection at a designated port of entry.

7. *On March 26, 2018, RUIZ- Espitia's fingerprints were submitted during the standard booking process after he was arrested by the DEA, Saginaw, MI for Cocaine. The fingerprints revealed a positive biometric match with the U.S. Department of Homeland Security's USVISIT/IDENT automated system for a previously encountered alien from Mexico. As such, ICE lodged an immigration detainer for RUIZ- Espitia with the US Marshalls in Detroit, MI on March 28, 2018.*
8. On May 14, 2018, I reviewed the Alien Registration file, and conducted system checks. There is no evidence to indicate that Martin RUIZ- Espitia has applied for or received permission from the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States.
9. Based on the above information, probable cause exists to believe that Martin RUIZ- Espitia has illegally reentered the United States after deportation in violation of 8 U.S.C. § 1326(a) and (b)(1) and was found in the United States on February 18, 2018, at Lincoln Park, Michigan.

  
Monica Alaez  
Deportation Officer  
Enforcement and Removal Operations  
Immigration and Customs Enforcement  
333 Mount Elliott  
Detroit, MI 48207

Sworn to before me and subscribed in my presence this 14th day of May, 2018.

  
Patricia T. Morris  
United States Magistrate Judge

MAY 14 2018

Date